GOVERNMENTOF ANDHRA PRADESH

A B S T R A C T

Agriculture & Cooperation Department – V & E Cases – Sri K.M.Nagraju, the then Assistant Director of Agriculture, Dharmavaram, Ananthapuramu District – Allegations of misappropriation of Government funds in Subsidy Sunflower Seed distribution during 2009-10 in Ananthapuramu District – Disciplinary action initiated under A.P.Civil Services (CCA) Rules, 1991 – Subsequently retired as Assistant Project Director, O/o APDMP, Kurnool – Imposition of the penalty of "Withholding of 20% of pension for a period of (5) years", under A.P.Revised Pension Rules, 1980 – Orders – Issued.

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AGRICULTURE AND CO-OPERATION (VIG.I) DEPARTMENT

G.O.Ms.No.16 **Dated :10.03.2022**

Read the following:

1. From the Director General (Vig. & Enft.) & E.O. Prl. Secretary to Government., General Adminstration (V&E) Dept., Vigilance Report No.29, (C.No. 389/V&E/D2/2010), dt.10.5.2012.
2. Govt. Memo. No. 6554/Vig.I-1/2012-3, A & C (Vig.I) Dept., dt.22.6.2012.
3. From the Commissioner and Director of Agriculture, A.P., Hyderabad, Letter No.Vig.IV(2)269/12, dt.02.11.2012.
4. Govt. Memo. No. 6554/Vig.I-1/2012-9, A & C (Vig.I) Dept., dt.22.11.2012.
5. G.O.Rt.No.1298, A & C (Vig.I) Dept., dt.22.11.2012.
6. From the Commissioner & Director of Agriculture, A.P., Hyderabad, Letter No.Vig.IV(2)269/12, dt.11.12.2012 & 18.01.2013.
7. G.O.Rt. No.484, A & C (Vig.I) Dept., dt.14.03.2013.
8. From the Commissioner & Director of Agriculture, A.P., Hyderrabad, Letter No.Vig.IV(2)269/12, dt.02.05.2014, along with Inquiry Report dt.25.05.2013.
9. Govt. Memo. No. 6554/Vig.I-1/2012, A & C (Vig.I) Dept., dt.11.08.2014.
10. From the Director of Agriculture, A.P., Hyderabad, Letter No.Vig.IV(2)269/2012, dt.08.02.2016.
11. From the Commissioner & Director of Agriculture, A.P., Hyderabad, Letter No.Vig.IV(2)269/2012, dt.19.05.2017.
12. Govt. Memo. No. 6554/Vig.I/2012, A & C (Vig.I) Dept., dt.29.03.2021.
13. From the Commissioner of Agriculture, A.P., Guntur, Letter No.Vig.IV(2)269/2012, dt.29.06.2021.
14. Govt. Letter No.6554/Vig.I/2012 , A & C (Vig.I) Dept., dt. 16.12.2021.
15. From the Joint secretary, A.P. Public Service Commission, Vijayawada, Letter No. 589/DC&C/2021, dt. 02.02.2022.

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O R D E R:

In the reference 1st read above, the Director General, Vigilane & Enforcement Department A.P., Hyderabad, has submitted a report regarding irregularities in distribution of Subsidy Sunflower Seed in Ananthapuramu district, during the year 2009-10 and requested the Department to take suitable disciplinary action as deemed fit against by Sri K.M.Nagraju, the then Assistant Director of Agriculture, Dharmavaram, Ananthapuramu District for his lapses in issuing Utilization Certificates.

2. Accordingly, in the reference 2nd read above, the Government have issued instructions to the Commissioner & Director of Agriculture, A.P., Hyderabad, to take necessary action on the recommendations of the V & E Department and also to furnish draft Articles of Charge against Sri K.M.Nagraju, the then Assistant Director of Agriculture, Dharmavaram, Ananthapuramu District to Government, for further action in the matter and in the reference 3rd read above, the Commissioner and Director of Agriculture, A.P., Hyderabad, has furnished Articles of Charge in respect of Sri K.M.Nagraju, the then Assistant Director of Agriculture, Dharmavaram, Ananthapuramu District.

3. In the reference 4th read above, the Government have issued Common Proceedings, under A.P. Civil Services (CCA) Rules,1991, against Sri K.M.Nagraju,the then Assistant Director of Agriculture, Dharmavaram, Ananthapuramu District & (4) others and issued Articles of Charge against

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Sri K.M.Nagraju, the then Assistant Director of Agriculture, Dharmavaram, Ananthapuramu, through the Commissioner & Director of Agriculture, A.P., Hyderabad, in the reference 5th read above, with a direction to submit his Written Statements of Defense (WSD) within (10) days of the receipt of this G.O., specifically admitting/denying the Articles of Charge.

4. In the reference 6th read above, the Commissioner & Director of Agriculture, A.P., Hyderabad, has forwarded the Written Statements of Defense (WSD) of the Charged Officers in which Sri K.M.Nagraju, the then Assistant Director of Agriculture, Dharmavaram, Ananthapuramu has denied the Articles of charge issued against him. Since the Written Statement of Defense (WSD) is far from convincing, the Government have appointed Smt.D.S.S.Suseela, Addl. Director of Agriculture-IV, O/o Commissioner & Director of Agriculture, A.P., Hyderabad, as the Inquiry Authority, in the reference 7th read above, to inquire into the Articles of Charge issued against the Charged Officer and also appointed the Joint Director of Agriculture, Ananthapur as Presenting Officer, to present the case before the Inquiry Authority.

5. In the reference 8th read above, the Commissioner & Director of Agriculture, A.P., Hyderabad, has forwarded the Report submitted by Smt.D.S.S.Suseela, Addl. Director of Agriculture-IV, O/o Commissioner & Director of Agriculture, A.P., Hyderabad & Inquiry Authority in which she has stated that the Articles of Charge issued against Sri K.M.Nagraju, the then Assistant Director of Agriculture, Dharmavaram, Ananthapuramu District are held proved.

6. In the reference 9th read above, the Government have communicated a copy of the Inquiry Report to the Charged Officer Sri K.M.Nagraju, the then Assistant Director of Agriculture, Dharmavaram, Ananthapuramu District, through the Special Commissioner of Agriculture, A.P., Hyderabad, calling for his explanation, if any, and in the references 10th read above, the Director of Agriculture, A.P., Hyderabad has submitted the dated acknowledgements and written explanations submitted by the Charged Officers in which Sri K.M.Nagraju, the then Assistant Director of Agriculture, Dharmavaram, Ananthapuram District has denied the Articles of Charge issued against him and further in the reference 11th read above, the Commissioner & Director of Agriculture, A.P., Hyderabad, has stated that he has agreed with the findings of the Inquiry Authority.

7. The Government have examined the case, in consultation with the advisory department and taken a provisional decision to impose the penalty of "Withholding of 20% of pension for a period of (5) years" against the Charged Officer Sri K.M.Nagraju, the then Assistant Director of Agriculture, Dharmavaram, Ananthapuramu District, under rule 9 of A.P. Revised Pension Rules, 1980, since he has retired from Government service on 31.08.2020 on attaining the age of superannuation, while working as Assistant Project Director, O/o APDMP, Kurnool.

8. Accordingly, the Government have issued Notice to the Charged Officer Sri K.M.Nagraju, the then Assistant Director of Agriculture, Dharmavaram, Ananthapuramu District and subsequently retired as Assistant Project Director, O/o APDMP, Kurnool, in the reference 12th read above, with a direction to show-cause as to why the penalty of "Withholding of 20% of pension for a period of (5) years" should not be imposed against him for the Articles of Charge issued against him are held proved.

9. In the reference 13th read above, the Charged Officer Sri K.M.Nagraju, the then Assistant Director of Agriculture, Dharmavaram, Ananthapuramu District, subsequently retired as Assistant Project Director, O/o APDMP, Kurnool has submitted his representation, requesting to drop further action in the matter. However, the Government have not considered the representation of the Charged Officer since he has not produced any new material or evidence that has the effect of changing the nature of the case and decided to impose the above said penalty of "Withholding of 20% of pension for a period of (5) years" against him.

10. Accordingly, the Government have requested the Secretary, A.P.Public Service Commisison, Vijayawada, in the reference 14th read above, to place the above proposed penalty of "Withholding of 20% of pension for a period of (5) years" against the Charged Officer Sri. K.M.Nagraju, the then Assistant Director of Agriculture, Dharmavaram, Ananthapuram District, subsequently retired as Assistant Project Director, O/o APDMP, Kurnool, before the Commission, under Regulation 17 of A.P.P.S.C. Regulations, 1963, and obtain its concurrence and communicate the same to the Government, for further action in the matter.

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11. In the reference 15th read above, the Joint Secretary, A.P. Public Service Commission, Vijayawada has stated that the Commission agrees with the proposal of the Government to impose the penalty of "Withholding of 20% of pension for a period of (5) years" against Sri K.M.Nagraju, the then Assistant Director of Agriculture, Dharmavaram, Ananthapuramu District and subsequently retired as Assistant Project Director, O/o APDMP, Kurnool and advised accordingly.

12. The Government, after careful examination of the matter, hereby, impose the penalty of "Withholding of 20% of pension for a period of (5) years" against the Charged Officer Sri K.M.Nagraju, the then Assistant Director of Agriculture, Dharmavaram, Ananthapuramu District and subsequently retired as Assistant Project Director, O/o APDMP, Kurnool on Deputation, under rule-9 of A.P.Revised Pension Rules,1980, for the Articles of Charge issued against him are held proved.

13. The Commissioner of Agriculture, A.P., Guntur shall take necessary further action in the matter, accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

POONAM MALAKONDAIAH
CHIEF COMMISSIONER, RBKs &
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To:
Sri. K.M.Nagraju, Assistant Project Director (Retd.), O/o APDMP, Kurnool.
(through the Commissioner of Agriculture, A.P., Guntur)
The Commissioner of Agriculture, A.P., Guntur.

Copy to:
The Prl. Accountant General, A.P., Vijayawada.
The Director of Treasuries & Accounts, A.P., Vijayawada.
The District Treasury Officer, Kurnool/Ananthapuramu.
The Joint Director of Agriculture,Ananthapuramu.
The P.S. to Secretary, A.P.public Service Commission, Vijayawada.
The P.S. to A.P.Vigilance Commissioner, APVC,
Block-5, First Floor, AP Secretariat Buildings, Amaravati at Velagapudi.
Sf/Sc

// FORWARDED BY ORDER//

SECTION OFFICER